THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1365 of 2007

Dated:25.01.2007

Between:

Palle Anil Kumar.

…Petitioner

and

The Gram Panchayat and another.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1365 of 2007

ORDER:

The petitioner allegedly purchased land admeasuring 136.33 square yards (48' X 25') situated at Jammikunta Gram Panchayat in Karimnagar District. The first respondent issued permission for construction vide permit dated 20.02.2003. The petitioner made construction. When a complaint was made by the second respondent, the first respondent issued a notice dated 21.11.2006 directing the petitioner to remove the unauthorized construction. It was alleged that the compound wall and staircase constructed by the petitioner occupied the road up to 4'.6". The petitioner submitted explanation/representation on 25.11.2006, and the matter is still under consideration. However, alleging that the first respondent is trying to demolish the petitioner's house on the ground that there is deviation, the present Writ Petition is filed.

After hearing the learned Counsel for the petitioner and the learned Standing Counsel appearing for the first respondent, this Court is of considered opinion that the first respondent should consider the explanation submitted by the petitioner before taking necessary action. If it is found that the petitioner has constructed staircase and compound wall on the road portion to the extent of 4'.6", the petitioner shall remove the same, in default of which, it shall be open to the first respondent to remove such construction.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

25.01.2007
vs